

TRANSMITTAL FORM

(To be used for all correspondence
after initial filing)

| | |
|----------------------|-------------------|
| Application Number | 09/825,159 |
| Filing Date | April 2, 2001 |
| First Named Inventor | Kenneth H. Abbott |
| Art Unit | 2173 |
| Examiner Name | Tadesse Hailu |
| Attorney Docket No. | 890057.408C1 |

#2173
IPW

ENCLOSURES (check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input checked="" type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Other Enclosure(s) (<i>please identify below</i>): _____ _____ _____ _____ |
|---|---|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

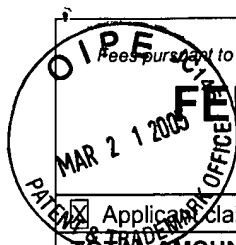
| | | | |
|--------------|---|-----------------|--------|
| Firm Name | Seed Intellectual Property Law Group PLLC | Customer Number | 00500 |
| Signature | | | |
| Printed Name | James A. D. White | | |
| Date | March 16, 2005 | Reg. No. | 43,985 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | |
|-----------------------|--------------|----------------------|
| Signature | | |
| Typed or printed name | Jason Añover | Date: March 16, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 564800



Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 09/825,159 |
| Filing Date | April 2, 2001 |
| First Named Inventor | Kenneth H. Abbott |
| Examiner Name | Tadesse Hailu |
| Art Unit | 2173 |
| Attorney Docket No. | 890057.408C1 |

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**180.00**

METHOD OF PAYMENT (check all that apply)

- ☒ Check ☐ Credit Card ☐ Money Order ☐ Other (please identify): _____
- ☐ Deposit Account Deposit Account Number: 19-1090 Deposit Account Name: Seed IP Law Group PLLC
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**
- ☐ Charge any additional fee(s) or underpayments ☒ Charge any underpayments or credit any overpayments of fee(s) under 37 CFR 1.16 and 1.17

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |
|-------------------------|--------------|----------|---------------|---------------------------|
| _____ -20 or HP = _____ | X | _____ | _____ | Fee (\$) |
| | | | | Fee Paid (\$) |

HP = highest number of total claims paid for, if greater than 20

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|------------------------|--------------|----------|---------------|
| _____ -3 or HP = _____ | X | _____ | _____ |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)) the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------------|--------------|--|----------|---------------|
| _____ -100 = _____ | /50 = _____ | (round up to a whole number) x _____ | _____ | _____ |

4. OTHER FEE(S)

| | Fees Paid (\$) |
|--|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | _____ |
| Other (e.g., late filing surcharge): <u>Submission of Information Disclosure Statement</u> | 180 |

SUBMITTED BY

| | | | | | |
|-------------------|-------------------|-----------------------------------|----------------|-----------|--------------|
| Signature | | Registration No. (Attorney/Agent) | 43,985 | Telephone | 206-622-4900 |
| Name (Print/Type) | James A. D. White | Date | March 16, 2005 | | |

| | | | | | |
|---|--------------------------------------|--|---------------|---------------------------|-------------------|
| Effective on 12/08/2004. Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). | | | | Complete if Known | |
| <div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; background-color: black; color: white; text-align: center; font-size: 2em; font-weight: bold; line-height: 1;"> FEE TRANSMITTAL for FY 2005 </div> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; font-size: 0.8em;"> OFFICE OF MAR 21 2005 TRADEMARK & PATENT </div> </div> | | | | Application Number | 09/825,159 |
| | | | | Filing Date | April 2, 2001 |
| | | | | First Named Inventor | Kenneth H. Abbott |
| | | | | Examiner Name | Tadesse Hailu |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | | | Art Unit | 2173 |
| TOTAL AMOUNT OF PAYMENT | | (\$) 180.00 | | Attorney Docket No. | 890057.408C1 |
| METHOD OF PAYMENT (check all that apply) <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other (please identify): _____ <input type="checkbox"/> Deposit Account Deposit Account Number: <u>19-1090</u> Deposit Account Name: <u>Seed IP Law Group PLLC</u> For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input type="checkbox"/> Charge any additional fee(s) or underpayments <input checked="" type="checkbox"/> Charge any underpayments or credit any overpayments of fee(s) under 37 CFR 1.16 and 1.17 Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| FEE CALCULATION | | | | | |
| 1. BASIC FILING, SEARCH, AND EXAMINATION FEES | | | | | |
| FILING FEES | | SEARCH FEES | | EXAMINATION FEES | |
| | | Small Entity | | Small Entity | |
| Application Type | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fees Paid (\$) |
| Utility | 300 | 150 | 500 | 250 | 100 |
| Design | 200 | 100 | 100 | 50 | 65 |
| Provisional | 200 | 100 | 0 | 0 | 0 |
| 2. EXCESS CLAIM FEES | | | | | |
| Fee Description | | | | Small Entity | |
| | | | | Fee (\$) | Fee (\$) |
| Each claim over 20 (including Reissues) | | | | 50 | 25 |
| Each independent claim over 3 (including Reissues) | | | | 200 | 100 |
| Multiple dependent claims | | | | 360 | 180 |
| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | |
| _____ -20 or HP = _____ | X | = | _____ | Fee (\$) | Fee Paid (\$) |
| HP = highest number of total claims paid for, if greater than 20 | | | | | |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | | |
| _____ -3 or HP = _____ | X | = | _____ | | |
| HP = highest number of independent claims paid for, if greater than 3 | | | | | |
| 3. APPLICATION SIZE FEE | | | | | |
| If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)) the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) | |
| _____ -100 = _____ | /50 = _____ | _____ (round up to a whole number) | x | _____ | |
| 4. OTHER FEE(S) | | | | | |
| Non-English Specification, \$130 fee (no small entity discount) | | | | _____ | |
| Other (e.g., late filing surcharge): <u>Submission of Information Disclosure Statement</u> | | | | 180 | |
| SUBMITTED BY | | | | | |
| Signature | Registration No. (Attorney/Agent) | | 43,985 | Telephone | 206-622-4900 |
| Name (Print/Type) | James A. D. White | | Date | March 16, 2005 | |



PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 16, 2005
Date

Jason Añover
Jason Añover

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kenneth H. Abbott et al.
Application No. : 09/825,159
Filed : April 2, 2001
For : THEMATIC RESPONSE TO A COMPUTER USER'S CONTEXT,
SUCH AS BY A WEARABLE PERSONAL COMPUTER

Examiner : Tadesse Hailu
Art Unit : 2173
Docket No. : 890057.408C1
Date : March 16, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:


In accordance with 37 CFR 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Form PTO-1449. Copies of the cited U.S. patents and published patent applications are not required and accordingly have not been provided. Copies of all other cited references are enclosed. As to any reference cited, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing

under 37 CFR 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Second Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

A fee of \$180 is submitted in accordance with 37 CFR 1.97(c). The Director is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,
Seed Intellectual Property Law Group PLLC


James A. D. White
Registration No. 43,985

Enclosures:

Postcard
Check
Form PTO-1449
Cited References (16)

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031

564797

| | | | |
|---|--|--|-------------------------------|
| FORM PTO-1449 (REV. 7-90) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. 890057.408C1 | APPLICATION NO. 09/825,159 |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | APPLICANTS Kenneth H. Abbott et al. | |
| | | FILING DATE April 2, 2001 | GROUP ART UNIT 2173 |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|----|-----------------|----------|------------------|-------|----------|-------------------------------|
| | AA | 5,388,198 | 02/07/95 | Layman et al. | 395 | 155 | |
| | AB | 5,506,580 | 04/09/96 | Whiting et al. | 341 | 51 | |
| | AC | 5,539,665 | 07/23/96 | Lamming et al. | 364 | 514 R | |
| | AD | 5,544,321 | 08/06/96 | Theimer et al. | 395 | 200.11 | |
| | AE | 5,601,435 | 02/11/97 | Quy | 434 | 307 R | |
| | AF | 5,603,054 | 02/11/97 | Theimer et al. | 395 | 826 | |
| | AG | 5,751,260 | 05/12/98 | Nappi et al. | 345 | 8 | |
| | AH | 5,913,030 | 06/15/99 | Lotspiech et al. | 395 | 200.33 | |
| | AI | 5,953,718 | 09/14/99 | Wical | 707 | 5 | |
| | AJ | 5,966,533 | 10/12/99 | Moddy | 395 | 702 | |
| | AK | 5,983,335 | 11/09/99 | Dwyer, III | 712 | 23 | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | TRANSLATION | |
|--|----|--------------------|----------|---------|-------------|----|
| | | | | | YES | NO |
| | AL | WO 98/47084 | 10/22/98 | WIPO | | |
| | AM | WO 99/17228 | 04/08/99 | WIPO | | |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|---|
| | AN | Bauer, M. et al., "A Collaborative Wearable System with Remote Sensing," University of Oregon, 8 pgs., February 1996. |
| | AO | Fickas, S., et al., "Software Organization for Dynamic and Adaptable Wearable Systems," University of Oregon, October 13-14, 1997, 8 pages. |
| | AP | Finger, S. et al., "Rapid Design and Manufacture of Wearable Computers," Communication of the ACM, Vol. 39, No. 2, February 1996, pp. 63-70. |
| | AQ | Gabbard, J., et al., "A Taxonomy of Usability Characteristics in Virtual Environments," November 1997, can be retrieved from http://csgrad.cs.vt.edu/~jgabbard/ve/taxonomy/ , 190 pages. |

| | |
|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| * EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s). | |

| | | | |
|---|--|--|-------------------------------|
| FORM PTO-1449 (REV.7-80) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. 890057.408C1 | APPLICATION NO. 09/825,159 |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | APPLICANTS Kenneth H. Abbott et al. | |
| | | FILING DATE April 2, 2001 | GROUP ART UNIT 2173 |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|----|-----------------|----------|--------------------|-------|----------|-------------------------------|
| | BA | 5,999,975 | 12/07/99 | Kittaka et al. | 709 | 224 | |
| | BB | 6,014,638 | 01/11/00 | Burge et al. | 705 | 27 | |
| | BC | 6,091,411 | 07/18/00 | Straub et al. | 345 | 333 | |
| | BD | 6,127,990 | 10/03/00 | Zwern | 345 | 8 | |
| | BE | 6,134,532 | 10/17/00 | Lazarus et al. | 705 | 14 | |
| | BF | 6,154,745 | 11/28/00 | Kari et al. | 707 | 100 | |
| | BG | 6,195,622 | 02/27/01 | Altschuler et al. | 703 | 2 | |
| | BH | 6,218,958 | 04/17/01 | Eichstaedt et al. | 340 | 825.46 | |
| | BI | 6,230,111 | 05/08/01 | Mizokawa | 702 | 182 | |
| | BJ | 6,294,953 | 09/25/01 | Steeves | 329 | 341 | |
| | BK | 6,513,046 | 01/28/03 | Abbott, III et al. | 707 | 104.1 | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | TRANSLATION | |
|--|----|--------------------|------|---------|-------------|----|
| | | | | | YES | NO |
| | BL | | | | | |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|---|
| | BM | Gavrilova, T., et al., "An Approach to Mapping of User Model to Corresponding Interface Parameters," 1997, pp. 24-29, can be retrieved from http://citiseer.nj.nec.com/context/109679/352175 . |
| | BN | Kortuem, G. et al., "Context-Aware, Adaptive Wearable Computers as Remote Interfaces to 'Intelligent' Environments," University of Oregon, October 1998, 8 pgs.. |
| | BO | Mann, S., "'Smart Clothing': Wearable Multimedia Computing and 'Personal Imaging' to Restore the Technological Balance Between People and Their Environments," <i>ACM Multimedia</i> , pp. 163-174, November 1996. |
| | BP | Rekimoto, J. et al., "The World Through the Computer: Computer Augmented Interaction with Real World Environments," <i>ACM</i> , November 1995, pp. 29-36. |

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449
(REV.7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

890057.408C1

APPLICATION NO.

09/825,159

INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

APPLICANTS

Kenneth H. Abbott et al.

FILING DATE

April 2, 2001

GROUP ART UNIT

2173

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|----|-----------------|----------|--------------------|-------|----------|-------------------------------|
| | CA | 6,549,915 | 04/15/03 | Abbott, III et al. | 707 | 104.1 | |
| | CB | 6,571,279 | 05/27/03 | Herz et al. | 709 | 217 | |
| | CC | 6,747,675 | 06/08/04 | Abbott et al. | 345 | 740 | |
| | CD | 6,791,580 | 09/14/04 | Abbott et al. | 345 | 744 | |
| | CE | 6,801,223 | 10/05/04 | Abbott et al. | 345 | 740 | |
| | CF | 6,812,937 | 11/02/04 | Abbott et al. | 345 | 740 | |
| | CG | 2002/0032689 | 03/14/02 | Abbott, III et al. | 707 | 104.1 | |
| | CH | 2003/0154476 | 08/14/03 | Abbott, III et al. | 725 | 37 | |
| | CI | 09/724,777 | | Abbott et al. | | | 11/28/00 |
| | CJ | 09/724,799 | | Abbott et al. | | | 11/28/00 |
| | CK | 09/724,892 | | Abbott et al. | | | 11/28/00 |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | TRANSLATION | |
|--|----|--------------------|------|---------|-------------|----|
| | | | | | YES | NO |
| | CL | | | | | |
| | CM | | | | | |
| | CN | | | | | |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|--|
| | CP | Rogers, E., et al., "Outbreak Agent: Intelligent Wearable Technology for Hazardous Environments," 1997 IEEE International Conference, Orlando Florida, October 12-15, 1997, pp. 3198-3203. |
| | CQ | Smailagic, A. et al., "Matching Interface Design with User Tasks: Modalities of Interaction with CMU Wearable Computers," IEEE Personal Communications, February 1996, pp. 14-25. |
| | CR | Starner, T. et al., "Visual Contextual Awareness in Wearable Computing," Media Lab, MIT, October 1998, 8 pgs.. |

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).